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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,846	09/20/2000	Graham Russell	9112.00	6406

7590

09/21/2004

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EXAMINER


KARMIS, STEFANOS

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/665,846	Applicant(s) RUSSELL ET AL. 	
	Examiner Stefano Karmis	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 7, 9-14, 19 and 21-26 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 2, 7, 9-14, 19, and 21-26 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Applicant's amendment filed on 07 June 2004.

Status of Claims

2. Claims 1, 2, 7, 9-14, 19, and 21-24 are currently amended. Claims 3-6, 8, 15-18, and 20 have been cancelled. Claims 25 and 26 are newly added. Therefore claims 1, 2, 7, 9-14, 19, and 21-26 are under prosecution in this application.

Summary of this Office Action

3. Applicant's arguments filed 07 June 2004 have been fully considered but they are not persuasive and are discussed in the next section below. Therefore, claims 1, 2, 7, 9-14, 19, and 21-26 stand rejected as stated in the previous office action, mailed 23 March 2004, and Applicant's request for allowance is respectfully denied.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 7, 9-14, 19, and 21-24 stand rejected under 35 U.S.C. 102(e) as being anticipated by Geisel et al. (hereinafter Geisel) US Publication 2002/0073060 as stated in paragraph 3 of the previous office action mailed 23 March 2004.

Response to Arguments

6. Claims 1, 2, 7, 9-14, 19, and 21-24 stand rejected under 35 U.S.C. 102(e) as being anticipated by Geisel, further, Applicant remarks that Geisel fails to teach a method of operating an image-based item processing system to process an entry which is a unit of work comprising a plurality of batches of physical document items. Further, Applicant points out that Geisel fails to teach determining whether a group of physical tracer document items is associated with an entry. The Examiner respectfully disagrees with the Applicant, Geisel discloses a computer-implemented method and apparatus for item processing in which proof of deposit transactions or

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batch remittances are processed through a prime capture step by a high-speed sorter, which generates electronic data (page 1, paragraph 0019-0021 and Figure 1). Therefore batches of documents are recorded by physically tracing the information on the document. Continuing, the information which is physically traced, are associated with various entries such as, amount, transaction code, account number, bank number and auxiliary on-us (page 3, table 1). These entries are associated with the batch remittances processed by the sorters. Applicant is reminded that claims must be interpreted as broadly as their terms reasonably allow *In re Zletz*, 13USPQ2d 1320, 1322 (Fed. Cir. 1989).

7. Applicant further claims that Geisel fails to teach associating a unique logical group of tracer document items with the mages received at the central processing site so as to allow the received images of physical document items to be later processed as if the plurality of batches of physical document items associated with the entry had been processed with a unique group of physical tracer document items. However, Geisel discloses branch banks where the physical tracer items are first captured and later transferred for reconciliation process by code-matching in which associated physical tracer items of unique numbers such as account numbers are associated with the physical tracer item from the branch (page 5, paragraph 0056, Figure 9).

8. Applicant asserts that Geisel fails to teach a method of operating an encoding workstation of an image-based item processing system to process physical document items, which are contained in a number of document trays without using a group of physical tracer document items in the document trays. Geisel discloses a workstation to encode the physical record and

correct amounts and sort the items to a given endpoint as well as encoding for determining a reject when matching physical documents (page 1, paragraph 0021 and page 6, paragraph 0059).

9. Continuing, Applicant states that Geisel fails to teach image capture for proof-of-deposits having a central site and number of branches connected via network the system comprises, inter alia, means for associating a unique logical group of tracer document items with the images received at the central processing site so as to allow the received images of physical document items to be later processed as if the plurality of batches of physical document items associated with the entry and been processed with a unique group of physical trader document items. However Geisel discloses proof-of-deposit transactions that are sorted and the data is captured. The proof-of-deposit transactions contain unique identification such as account numbers used in reconciliation and during code matching. The image capture module will process items and store the data in the capture database so that transactions may be transmitted from branch bank to processing center and vice-versa.

10. Newly added claims 25 and 26 contain limitations similar to previously rejected claims 1, 2, 7, 9-14, 19, and 21-24 and therefore stand rejected for the reasons stated above.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

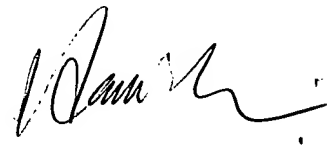
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (703) 305-8130. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted
Stefano Karmis
17 September 2004



HANI M. KAZIMI
PRIMARY EXAMINER